

106TH CONGRESS
1ST SESSION

S. 1805

To restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 1999

Mr. KENNEDY (for himself, Mr. SPECTER, Mr. LEAHY, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hunger Relief Act of
3 1999”.

4 **SEC. 2. RESTORATION OF FOOD STAMP BENEFITS FOR**
5 **ALIENS.**

6 (a) LIMITED ELIGIBILITY OF QUALIFIED ALIENS
7 FOR CERTAIN FEDERAL PROGRAMS.—

8 (1) IN GENERAL.—Section 402(a) of the Per-
9 sonal Responsibility and Work Opportunity Rec-
10 onciliation Act of 1996 (8 U.S.C. 1612(a)) is
11 amended—

12 (A) in paragraph (2)—

13 (i) in subparagraph (A), by striking
14 “Federal programs” and inserting “Fed-
15 eral program”;

16 (ii) in subparagraph (D)—

17 (I) by striking clause (ii); and

18 (II) in clause (i)—

19 (aa) by striking “(i)
20 SSI.—” and all that follows
21 through “paragraph (3)(A)” and
22 inserting the following:

23 “(i) IN GENERAL.—With respect to
24 the specified Federal program described in
25 paragraph (3)”;

- 1 (bb) by redesignating sub-
2 clauses (II) through (IV) as
3 clauses (ii) through (iv) and in-
4 denting appropriately;
- 5 (cc) by striking “subclause
6 (I)” each place it appears and in-
7 serting “clause (i)”; and
- 8 (dd) in clause (iv) (as redес-
9 igned by item (bb)), by striking
10 “this clause” and inserting “this
11 subparagraph”;
- 12 (iii) in subparagraph (E), by striking
13 “paragraph (3)(A) (relating to the supple-
14 mental security income program)” and in-
15 serting “paragraph (3)”;
- 16 (iv) in subparagraph (F);
- 17 (I) by striking “Federal pro-
18 grams” and inserting “Federal pro-
19 gram”;
- 20 (II) in clause (ii)(I)—
- 21 (aa) by striking “(I) in the
22 case of the specified Federal pro-
23 gram described in paragraph
24 (3)(A),”; and

1 (bb) by striking “; and” and
2 inserting a period; and

3 (III) by striking subclause (II);

4 (v) in subparagraph (G), by striking
5 “Federal programs” and inserting “Fed-
6 eral program”;

7 (vi) in subparagraph (H), by striking
8 “paragraph (3)(A) (relating to the supple-
9 mental security income program)” and in-
10 sserting “paragraph (3)”; and

11 (vii) by striking subparagraphs (I),
12 (J), and (K); and
13 (B) in paragraph (3)—

14 (i) by striking “means any” and all
15 that follows through “The supplemental”
16 and inserting “means the supplemental”;
17 and

18 (ii) by striking subparagraph (B).

19 (2) CONFORMING AMENDMENT.—Section
20 402(b)(2)(F) of the Personal Responsibility and
21 Work Opportunity Reconciliation Act of 1996 (8
22 U.S.C. 1612(b)(2)(F)) is amended by striking “sub-
23 section (a)(3)(A)” and inserting “subsection (a)(3)”.

24 (b) FIVE-YEAR LIMITED ELIGIBILITY OF QUALIFIED
25 ALIENS FOR FEDERAL MEANS-TESTED PUBLIC BEN-

1 EFIT.—Section 403 of the Personal Responsibility and
2 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
3 1613) is amended—

4 (1) in subsection (c)(2), by adding at the end
5 the following:

6 “(L) Assistance or benefits under the Food
7 Stamp Act of 1977 (7 U.S.C. 2011 et seq.);”
8 and

9 (2) in subsection (d)—

10 (A) by striking “not apply” and all that
11 follows through “(1) an individual” and insert-
12 ing “not apply to an individual”; and

13 (B) by striking “; or” and all that follows
14 through “402(a)(3)(B)”.

15 (c) AUTHORITY FOR STATES TO PROVIDE FOR AT-
16 TRIBUTION OF SPONSOR’S INCOME AND RESOURCES TO
17 THE ALIEN WITH RESPECT TO STATE PROGRAMS.—Sec-
18 tion 422(b) of the Personal Responsibility and Work Op-
19 portunity Reconciliation Act of 1996 (8 U.S.C. 1632(b))
20 is amended by adding at the end the following:

21 “(8) Programs comparable to assistance or ben-
22 efits under the Food Stamp Act of 1977 (7 U.S.C.
23 2011 et seq.).”.

24 (d) REQUIREMENTS FOR SPONSOR’S AFFIDAVIT OF
25 SUPPORT.—Section 423(d) of the Personal Responsibility

1 and Work Opportunity Reconciliation Act of 1996 (8
2 U.S.C. 1183a note; Public Law 104–193) is amended by
3 adding at the end the following:

4 “(12) Benefits under the Food Stamp Act of
5 1977 (7 U.S.C. 2011 et seq.), if a sponsor is unable
6 to make the reimbursement because the sponsor ex-
7 periences hardship (including bankruptcy, disability,
8 and indigence) or if the sponsor experiences severe
9 circumstances beyond the control of the sponsor, as
10 determined by the Secretary of Agriculture.”.

11 (e) DERIVATIVE ELIGIBILITY FOR BENEFITS.—Sec-
12 tion 436 of the Personal Responsibility and Work Oppor-
13 tunity Reconciliation Act of 1996 (8 U.S.C. 1646) is re-
14 pealed.

15 (f) APPLICATION.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), this section and the amendments made by
18 this section shall apply to assistance or benefits pro-
19 vided under the Food Stamp Act of 1977 (7 U.S.C.
20 2011 et seq.) for months beginning on or after Octo-
21 ber 1, 2001.

22 (2) REFUGEES AND ASYLEES.—In the case of
23 an alien described in section 402(a)(2)(A) of the
24 Personal Responsibility and Work Opportunity Rec-
25 onciliation Act of 1996 (8 U.S.C. 1612(a)(2)(A)),

1 this section and the amendments made by this sec-
2 tion shall apply to assistance or benefits provided
3 under the Food Stamp Act of 1977 (7 U.S.C. 2011
4 et seq.) for months beginning on or after April 1,
5 2000.

6 **SEC. 3. VEHICLE ALLOWANCE.**

7 (a) IN GENERAL.—Section 5(g)(2) of the Food
8 Stamp Act of 1977 (7 U.S.C. 2014(g)(2)) is amended—

9 (1) in subparagraph (B)(iv)—

10 (A) by striking “subparagraph (C)” and
11 inserting “subparagraphs (C) and (D)”; and

12 (B) by striking “to the extent that” and all
13 that follows through the end of the clause and
14 inserting “to the extent that the fair market
15 value of the vehicle exceeds \$4,650; and”; and

16 (2) by adding at the end the following:

17 “(D) ALTERNATIVE VEHICLE ALLOW-
18 ANCE.—If the vehicle allowance standards that
19 a State agency uses to determine eligibility for
20 assistance under the State program funded
21 under part A of title IV of the Social Security
22 Act (42 U.S.C. 601 et seq.) would result in a
23 lower attribution of resources to certain house-
24 holds than under subparagraph (B)(iv), in lieu
25 of applying subparagraph (B)(iv), the State

1 agency may elect to apply the State vehicle al-
2 lowance standards to all households that would
3 incur a lower attribution of resources under the
4 State vehicle allowance standards.”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 this section take effect on July 1, 2000.

7 **SEC. 4. MAXIMUM AMOUNT OF EXCESS SHELTER EXPENSE**
8 **DEDUCTION.**

9 Section 5(e)(7)(B) of the Food Stamp Act of 1977
10 (7 U.S.C. 2014(e)(7)(B)) is amended by striking clauses
11 (iii) and (iv) and inserting the following:

12 “(iii) for fiscal year 1999, \$275,
13 \$478, \$393, \$334, and \$203 per month,
14 respectively;

15 “(iv) for fiscal year 2000, \$280, \$483,
16 \$398, \$339, and \$208 per month, respec-
17 tively;

18 “(v) for fiscal year 2001, \$340, \$543,
19 \$458, \$399, and \$268 per month, respec-
20 tively; and

21 “(vi) for fiscal year 2002 and each
22 subsequent fiscal year, the applicable
23 amount during the preceding fiscal year, as
24 adjusted to reflect changes for the 12-
25 month period ending the preceding Novem-

1 ber 30 in the Consumer Price Index for All
 2 Urban Consumers published by the Bureau
 3 of Labor Statistics of the Department of
 4 Labor.”.

5 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR ADDI-**
 6 **TIONAL COMMODITIES UNDER EMERGENCY**
 7 **FOOD ASSISTANCE PROGRAM.**

8 Section 214 of the Emergency Food Assistance Act
 9 of 1983 (7 U.S.C. 7515) is amended by adding at the end
 10 the following:

11 “(e) AUTHORIZATION OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—In addition to any other
 13 funds that are made available to carry out this sec-
 14 tion, there are authorized to be appropriated to pur-
 15 chase and make available additional commodities
 16 under this section \$20,000,000 for each of fiscal
 17 years 2001 through 2005.

18 “(2) DIRECT EXPENSES.—Not less than 15
 19 percent of the amount made available under para-
 20 graph (1) shall be used to pay direct expenses (as
 21 defined in section 204(a)(2)) incurred by emergency
 22 feeding organizations to distribute additional com-
 23 modities to needy persons.”.

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